

C/M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JERIC GRIFFITH, :
Plaintiff, :
: **ORDER**
- against - :
YAS SADRI, et al., : 07 Civ. 4824 (BMC)
Defendants. :
: X

COGAN, District Judge.

This matter is before the Court on plaintiff's motion for reconsideration of this Court's Order dismissing the complaint.

The standard for granting a motion for reconsideration is strict. See Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). "A motion for reconsideration may not be used to advance new facts, issues or arguments not previously presented to the Court, nor may it be used as a vehicle for relitigating issues already decided by the Court." Davidson v. Scully, 172 F. Supp. 2d 458, 461 (S.D.N.Y. 2001) (citing Shrader, 70 F.3d at 257). In other words, "[a] motion for reconsideration is not to be used as a means to reargue matters already argued and disposed of by prior rulings or to put forward additional arguments that a party could have made but neglected to make before judgment." Brown v. Middaugh, No. 96-CV-1097, 1999 WL 242662, *1 (N.D.N.Y. Apr. 21, 1999) (citation omitted).

Plaintiff has failed to make a showing sufficient for reconsideration. He either restates arguments that have been rejected by the Court, or points to immaterial details in the decision which he contends are erroneous. This is insufficient to warrant reconsideration.

Plaintiff has also annexed an exhibit to his motion for reconsideration consisting of additional pages from the trial transcript. This is an attempt to introduce new material into the record that should have been produced in discovery and included in the numerous prior submissions in connection with the motion that plaintiff filed, and it is therefore rejected.

SO ORDERED.

/Signed by Judge Brian M. Cogan/


U.S.D.J.

Dated: Brooklyn, New York
November 3, 2009